

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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**STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING**

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**IN THE MATTER OF THE  
DISCIPLINARY PROCEEDINGS  
AGAINST**

**SHANE M. MOORE,  
RESPONDENT.**

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**FINAL DECISION AND ORDER  
LS# 0908251 RSG**

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**Division of Enforcement Files: 09 RSG 014**

The parties to this action for the purposes of section 227.53 of the Wisconsin Statutes are:

Shane M. Moore  
121 East 1<sup>st</sup> Street  
Fond du Lac, Wisconsin 54935

Department of Regulation and Licensing  
Division of Enforcement  
Post Office Box 8935  
Madison, Wisconsin 53708-8935

**PROCEDURAL HISTORY**

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Department. The Department has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department in this matter adopts the attached Stipulation and makes the following:

**FINDINGS OF FACT**

1. Shane M. Moore whose date of birth is April 16, 1975, is duly licensed as a private security person in the State of Wisconsin (Permit #108-33047). Mr. Moore's last reported address on file with the Department of Regulation and Licensing (Department) is 121 East 1<sup>st</sup> Street in Fond du Lac, Wisconsin, 54935.
2. Mr. Moore's private security permit was initially granted on March 23, 2007.
3. Mr. Moore notified the Department via electronic mail on April 6, 2009, that he had been convicted in Fond du Lac Circuit Court of two misdemeanor counts of Disorderly Conduct. A true and correct copy of the Criminal Complaint and Judgment of Conviction are attached as Exhibit A.

4. Mr. Moore notified the Department in a timely manner of his convictions within forty-eight (48) hours after the entry of the judgments of conviction as required by s. 440.26 (4m) (b), Wis. Stats., and s. RL 35.01 (2), Wis. Admin.
5. His April 3, 2009, convictions are substantially related to the practice of a private security person.
6. In resolution of this matter, Shane M. Moore consents to the entry of the following Conclusions of Law and Order.

#### CONCLUSIONS OF LAW

1. The Wisconsin Department of Regulation and Licensing has jurisdiction to act in this matter pursuant to s. 227.44 (5), Wis. Stats.
2. The convictions as set forth in Finding of Fact 3 against Shane M. Moore are substantially related to the practice of a private security person pursuant to s. 111.335, Wis. Stats.
3. By having engaged in criminal conduct that is substantially related to the practice of a private security person, the Wisconsin Department of Regulation and Licensing may take disciplinary action against Shane M. Moore's private security guard permit pursuant to s. 440.26 (6) (a), Wis. Stats., and s. RL 35.01 (2), Wis. Admin. Code.

#### ORDER

NOW, THEREFORE, **IT IS HEREBY ORDERED** that the private security permit issued to Shane M. Moore (Permit #108-33047) is **REPRIMANDED**.

IT IS FURTHER ORDERED that Shane M. Moore shall pay total costs in the amount of **ONE HUNDRED FIFTY-FOUR** dollars (\$154.00) in this matter.

All payments of total costs shall be submitted within 90 days from the date of this order. Payment shall be made by *certified check or money order*, payable to the Wisconsin Department of Regulation and Licensing and sent to:

Department Monitor  
Division of Enforcement  
Post Office Box 8935  
Madison, Wisconsin 53708-8935  
608-261-7904

**IT IS FURTHER ORDERED** that in the event Shane M. Moore fails to comply with all the terms of the Order as set forth above, the private security permit of Shane M. Moore (Permit #108-33047) **SHALL BE SUSPENDED**, without further notice or hearing, until Shane M. Moore has complied with all the terms of this Order.

This Order shall become effective upon the date of its signing.

THE DEPARTMENT OF REGULATION AND LICENSING

By Celia M. Jackson  
Celia M. Jackson  
Secretary

8/25/09  
Date

STATE OF WISCONSIN

Plaintiff,

DA Case No.: 2009FL000161

Assigned DA/ADA: Devra Ayala

Agency Case No.: 09-501

Court Case No.:

ATN:

09CF17

-VS-

Shane M. Moore  
121 East 1st Street  
Fond du Lac, WI 54935  
DOB: 04/16/1975  
Sex/Race: M/W  
Alias:

FILED

JAN 23 2009

MARY L. KARST  
CLERK OF CIRCUIT COURT  
FOND DU LAC COUNTY, WIS.  
Defendant,

**Criminal Complaint**

Captain Mike Frank, of the Fond du Lac Police Department, being first duly sworn, states that:

**Count 1: DISORDERLY CONDUCT, DOMESTIC ABUSE**

The above-named defendant on Wednesday, January 14, 2009, in the City of Fond du Lac, Fond du Lac County, Wisconsin, while in a public or private place, did engage in violent, abusive, indecent, profane, boisterous or otherwise disorderly conduct, under circumstances in which such conduct tended to cause or provoke a disturbance, to-wit: against Amy L. Anheuser, contrary to sec. 947.01, 968.075(1)(a) Wis. Stats., a Class B Misdemeanor, and upon conviction may be fined not more than One Thousand Dollars (\$1,000), or imprisoned not more than ninety (90) days, or both.

And further, invoking the provisions of sec. 968.075(1)(a) Wis. Stats., because this charge is an act of domestic abuse, costs upon conviction would include the domestic abuse assessment imposed under sec. 973.055(1) Wis. Stats.

**Count 2: DISORDERLY CONDUCT**

The above-named defendant on Wednesday, January 14, 2009, in the City of Fond du Lac, Fond du Lac County, Wisconsin, while in a public or private place, did engage in violent, abusive, indecent, profane, boisterous or otherwise disorderly conduct, under circumstances in which such conduct tended to cause or provoke a disturbance, to-wit: against Anita L. Stateson, contrary to sec. 947.01 Wis. Stats., a Class B Misdemeanor, and upon conviction may be fined not more than One Thousand Dollars (\$1,000), or imprisoned not more than ninety (90) days, or both.

**Count 3: STRANGULATION AND SUFFOCATION**

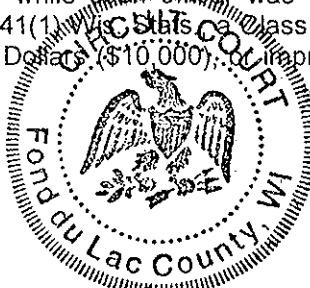
The above-named defendant on Wednesday, January 14, 2009, in the City of Fond du Lac, Fond du Lac County, Wisconsin, did intentionally impede the normal breathing by applying pressure on the throat or neck of another person, to-wit: against Anita L. Stateson, contrary to sec. 940.235(1) Wis. Stats., a Class H Felony, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

**Count 4: OBSTRUCTING AN OFFICER**

The above-named defendant on Wednesday, January 14, 2009, in the City of Fond du Lac, Fond du Lac County, Wisconsin, did intentionally obstruct an officer, while such officer was doing an act in an official capacity and with lawful authority, contrary to sec. 946.41(1) Wis. Stats., a Class A Misdemeanor, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than nine (9) months, or both.

Mary L. Karst, Clerk of Circuit Court  
Fond du Lac County, Wisconsin

By J. Schmidt  
Deputy



STATE'S  
EXHIBIT

A

1/19/2009

## PROBABLE CAUSE:

The complainant is an employee with the City of Fond du Lac.

On January 14, 2009 at approximately 10:22 p.m. Officers Wagner, Gross and Domke of said department were dispatched to 121 E. 1<sup>st</sup> Street in the City and County of Fond du Lac, Wisconsin for a physical altercation. Dispatched advised officers that the male party at the residence had attempted to choke the female party at the residence.

Upon arrival at 121 E. 1<sup>st</sup> Street, Officer Wagner met with a female party identified as Anita Stateson. Stateson indicated that she had been choked by her sister's boyfriend. Anita indicated that her sister was Amy Anheuser and her sister's boyfriend identified as Shane Moore. As Anita indicated to Officer Wagner that Amy and Shane were inside the residence. Officer Wagner could hear two people fighting as he got closer to the residence.

As Officer Wagner identified himself and made entry into the residence, he observed the male party who had been identified as Shane Moore yelling at the female party who had been identified as Amy Anheuser. Officer Wagner moved closer to Moore. Moore yelled something and pulled away from Officer Wagner. Moore then ran toward the bedroom and closed the door behind him. Officer Wagner attempted to grab Moore's arm but Anheuser was between Moore and Officer Wagner. Moore then entered the bedroom and slammed the door. Officers attempted to open the door but Moore was leaning against it and wouldn't open the door. Officers at that point and time were concerned for their safety since the male party, Moore, had gone into the room after he had made comments earlier about killing himself.

Officer Domke and Officer Wagner ordered Moore to open the door. Moore responded, "This is my house." Moore eventually opened the door and Officer Domke grabbed Moore's right arm in attempt to secure him. Officer Wagner then grabbed Moore's left arm. Moore began resisting by pulling his arms away. Officers were able to secure Moore's hands behind his back. Officers continued to advise Moore to stop resisting. Moore continued to show resistive tensions by keeping his arms locked and pulling his arms away from the officers.

Officer Gross was also present at the residence and told Moore to stop resisting. Eventually officers were able to secure Moore's arms and were able to handcuff Moore. Officers advised Moore of his rights. Moore at that time began yelling that he knew his rights and didn't want to speak with officers.

Officer Wagner spoke to the two female parties that were present at the residence. Officer Wagner first spoke with Amy Anheuser who stated that she is engaged to Shane Moore and currently living with him. At approximately 8:00 p.m. Shane wanted to watch a movie. Anheuser told Moore she did not want to watch a movie. At that point and time Moore became angry and began yelling. Anheuser stated she went into her children's room and laid on the bed with her children. Moore at that time began walking around the house entering into the room that Anheuser was in with her children and began yelling. Anheuser stated that when Moore entered the room he was throwing items in the room and kicking items in the room.

Anheuser stated that she contacted her sister Anita Stateson by phone. Anheuser put the phone behind her back so Stateson could hear what was being said. Anheuser said that her sister then came to the house. When Anheuser entered the kitchen, Shane Moore was walking toward her. Stateson stepped in between Anheuser and Moore. Moore grabbed Anita by the throat and Stateson pushed him away. When Moore was about to come toward Stateson again, she grabbed Moore to stop him from coming towards Stateson. Officer Wagner then spoke with Anita Stateson who indicated that her sister Amy Anheuser and once her sister had called her she could hear screaming in the background. Stateson stated that she went to her sister's residence at 121 E. 1<sup>st</sup> Street where her sister was. Stateson stated she went to the door on the west side of the house and it was locked. Stateson indicated she could hear screaming and began knocking on the door. Eventually Moore came to the door and unlocked the door and opened it. Moore walked into the kitchen and Stateson followed. Moore told Stateson to get out of his house. Moore began walking through

the house and returned to the kitchen. Anheuser also walked into the kitchen at this point. Moore began walking towards Anheuser so Stateson stepped in front of Moore. At that time Moore extended his right hand and grabbed Stateson by the throat. Stateson stated that Moore had his hand around her throat for approximately 10 seconds. She was having trouble breathing while Moore's hand was on her throat. Stateson indicated she pushed Moore away from her and he approached her again. Stateson was able to get away from Moore, ran outside and attempted to call dispatch again. Stateson stated that as she was attempting to call the police a second time, the Fond du Lac Police Department arrived at the house. Officer Wagner noted that Stateson had red marks on her throat. Stateson stated she felt threatened by Moore's actions. Stateson stated she did not give Moore consent to grab her by her throat.

Officer Bednarek transferred Moore to the Fond du Lac County Jail. In route to the jail Moore stated to Officer Bednarek that they have, "no fucking rights to take him to jail because it is his house."

Based on the foregoing, the complainant believes this complaint to be true and correct.

Subscribed and sworn to before me,  
and approved for filing on:

Dated: January 21, 2007

  
Complainant

Charles Schult  
(Assistant) District Attorney

State Bar No. 601028

For Official Use Only  
**FILED**  
APR 06 2009  
MARY L. KARST  
FOND DU LAC COUNTY, WIS.  
Clerk Of Circuit Court

The defendant was found guilty of the following crime(s):

Ct.	Description	Violation	Plea	Severity	Date(s) Committed	Trial To	Date(s) Convicted
	Disorderly Conduct	947.01	No Contest	Misd. B	01-14-2009		04-03-2009
	Disorderly Conduct	947.01	No Contest	Misd. B	01-14-2009		04-03-2009

IT IS ADJUDGED that the defendant is guilty as convicted and sentenced as follows:

Ct.	Sent. Date	Sentence	Length	Agency	Comments
	04-03-2009	Probation, sent withheld	1 YR	Department of Corrections	
	04-03-2009	Probation, sent withheld	1 YR	Department of Corrections	

Sentence Concurrent With/Consecutive Information:

Ct.	Sentence	Type	Concurrent with/Consecutive To	Comments
1	Probation, sent withheld	Concurrent	Probations on Counts 1 & 2 run concurrently	
2	Probation, sent withheld	Concurrent		

Conditions of Sentence or Probation

Obligations: (Total amounts only)

Fine	Court Costs	Attorney Fees	<input type="checkbox"/> Joint and Several Restitution	Other	Mandatory Victim/Wit. Surcharge	5% Rest. Surcharge	DNA Anal. Surcharge
20.00	40.00			16.00	120.00		

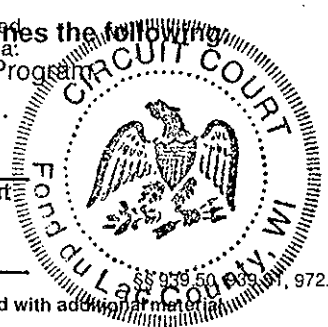
Conditions

Ct.	Condition	Agency/Program	Comments
1	Costs		Bond of \$450 to be applied to Costs & Attorney Fees
1	Other		Absolute Sobriety. No Bars/Taverns. No possession of Alcohol
1	Other		Defendant to reimburse Fond du Lac Clerk of Courts for Attorney's fees.
1	Other		No violent contact with Amy Anheuser or Anita Stateson
1	Other		AODA Assessment & follow-up
1	Other		Counseling as determined by PO & follow-up
1	Other		Comply with treating Physician as to treatments, medications & appointments
1	Other		Defendant to pay supervision fees as determined by the DOC.
2	Costs		
2	Other		Conditions are the same as in Ct.#1

Pursuant to §973.01(3g) and (3m) Wisconsin Statutes, the court determines the following:

The Defendant is ☐ is not ☐ eligible for the Challenge Incarceration Program.  
The Defendant is ☐ is not ☐ eligible for the Earned Release Program.

I hereby certify that I have compared this copy with the original and it is a:  
(X) True copy thereof  
( ) Photocopy of the original  
6/4/09  
Mary L. Karst, Clerk of Circuit Court  
Fond du Lac County, Wisconsin  
By: J. Schmidt  
Deputy





State of Wisconsin vs. Shane M. Moo

Judgment of Co.

On

FILED

Sentence Withheld, Probation  
Ordered

APR 06 2009

Date of Birth: 04-16-1975

Case No.: 2009CF000017

MARY L. KARST  
FOND DU LAC COUNTY, WIS.,  
Clerk Of Circuit Court

The following charges were Dismissed but read In

Ct.	Description	Violation	Plea	Severity	Date(s) Committed	Date(s) Read In
3	Strangulation and Suffocation	940.235(1)		Felony H	01-14-2009	04-03-2009
4	Resisting or Obstructing an Officer	946.41(1)		Misd. A	01-14-2009	04-03-2009

IT IS ADJUDGED that 1 days sentence credit are due pursuant to § 973.155, Wisconsin Statutes

IT IS ORDERED that the Sheriff shall deliver the defendant into the custody of the Department.

Richard Nuss, Judge  
Devra Ayala, District Attorney  
Michael O'Rourke, Defense Attorney  
Defendant  
DOC

BY THE COURT:

  
Circuit Court Judge/Clerk/Deputy Clerk

April 6, 2009

Date

**STATE OF WISCONSIN**  
**BEFORE THE DEPARTMENT OF REGULATION AND LICENSING**

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**IN THE MATTER OF THE  
DISCIPLINARY PROCEEDINGS  
AGAINST**

**SHANE M. MOORE,  
RESPONDENT.**

**STIPULATION**  
**LS# 0908251 RSG**

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**Division of Enforcement Files: 09 RSG 014**

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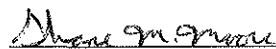
It is hereby stipulated between Shane M. Moore and Jacquelynn B. Rothstein, attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of a pending investigation of Mr. Moore's licensure by the Division of Enforcement (09 RSG 014). Mr. Moore consents to the resolution of this investigation by Stipulation and without the issuance of a formal complaint.
2. Mr. Moore understands that by signing this Stipulation he voluntarily and knowingly waives his rights, including: the right to a hearing on the allegations against him, at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against him; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify himself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.
3. Mr. Moore is aware of his right to seek legal representation and has been provided an opportunity to obtain legal advice prior to signing this Stipulation.
4. Mr. Moore agrees to the adoption of the attached Final Decision and Order by the Department of Regulation and Licensing (Department). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Mr. Moore waives all rights to any appeal of the Department's order, if adopted in the form as attached.
5. If the terms of this Stipulation are not acceptable to the Department, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Enforcement for further proceedings. In the event that the Stipulation is not accepted by the Department, the parties agree not to contend that the Department has been prejudiced or biased in any manner by the consideration of this attempted resolution.
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement may appear before the Department in open or closed session, without the presence

of Mr. Moore or Mr. Moore's attorney, for purposes of speaking in support of this agreement and answering questions that the Department may have in connection with the Department's deliberations on the Stipulation.

7. Mr. Moore is informed that should the Department adopt this Stipulation, the Department's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Enforcement joins Shane M. Moore in recommending the Department adopt this Stipulation and issue the attached Final Decision and Order.



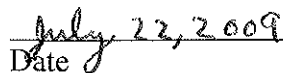
**Shane M. Moore**

Respondent

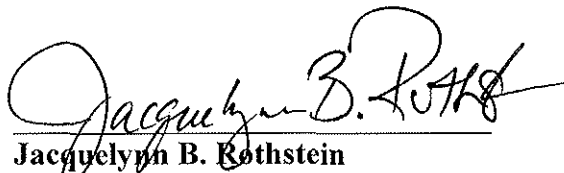
121 East 1<sup>st</sup> Street

Fond du Lac, Wisconsin 54935

License Number 108-33047



Date



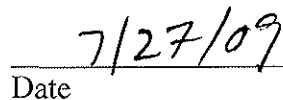
**Jacquelyn B. Rothstein**

Attorney

Division of Enforcement

Post Office Box 8935

Madison, Wisconsin 53708-8935



Date